

IN THE CLAIMS

Please amend the claims as follows:

Claim 1 (Currently Amended): A pattern inspecting method, comprising:

preparing a sample having a first and a second inspection regions and an imaging device having a plurality of pixels;

scanning the first inspection region to a first direction using the imaging device to obtain a first measurement pattern representing at least parts of the first inspection region;

scanning the second inspection region to the first direction using the imaging device to obtain a second measurement pattern representing at least parts of the second inspection region;

comparing the first measurement pattern and the second measurement pattern with each other to determine presence or absence of a defect formed on the sample; and

controlling a scanning condition for scanning a pattern of the second inspection region by the imaging device so as to keep the same with the scanning condition when the pattern of the first inspection region is scanned by the imaging device.

Claim 2 (Original): The method of claim 1, wherein the scanning condition is a positional relationship of pixels of the imaging device and the pattern of the first or second inspection region.

Claim 3 (Original): The method of claim 1, wherein the pattern is an edge of the first or second inspection region.

Claim 4 (Currently Amended): The method of claim 1, wherein the pixels of the imaging device is arranged in a line which is orthogonal to the first direction.

Claim 5 (Original): The method of claim 1, wherein the first measurement pattern contains a plurality of first image portions in the first inspection region, and the second measurement pattern contains a plurality of second image portions in the second inspection region.

Claim 6 (Original): The method of claim 1, further comprising:  
generating reference pattern data corresponding to the measurement pattern data from design data used when a pattern is formed on the sample; and  
comparing the first and second measurement pattern data and the reference pattern data with each other to determine presence or absence of a defect of the pattern formed on the sample.

Claim 7 (Original): The method of claim 3, further comprising:  
storing a positional relationship of pixels of the imaging device and the edge of the first inspection region when the edge of the first inspection region is scanned.

Claim 8 (Original): The method of claim 7, wherein the step of storing stores a positional difference between the edge of the first inspection region and the pixel of the imaging device as the positional relationship.

Claim 9 (Currently Amended): A pattern inspecting apparatus comprising:  
an emitting unit ~~configured~~ configured to emit to a sample having a first inspection region on which a first pattern is formed and a second inspection region on which a second pattern is formed;

an imaging device that ~~have~~has at least one detecting unit that ~~detect~~detects images from the ~~samples~~ sample;

a scanning unit configured to scan the first and second inspection regions to a first direction using the imaging device to obtain first and second measurement patterns representing at least parts of the first and second inspection regions;

a comparing unit configured to compare the first measurement pattern and the second measurement pattern with each other to determine presence or absence of a defect formed on the sample;

a position recognizing unit ~~configure~~configured to recognize a position of the sample with respect to the detecting unit;

a signal output unit ~~configure to output a signal~~configured to output a relative signal according to a relative movement between the sample and the detecting unit; and

a control unit ~~configure~~configured to control a scanning condition for scanning a ~~pattern of~~ the second inspection region by the imaging device so as to keep the same with the scanning condition when ~~the pattern of~~ the first inspection region is scanned by the imaging device.

Claim 10 (Currently Amended): The pattern inspecting apparatus of claim 9, wherein the pixels of the detecting unit ~~is~~are arranged in a line and in a direction orthogonal to the scanning direction.

Claim 11 (Currently Amended): The pattern inspecting apparatus of claim 9, wherein the emitting unit ~~configure~~is configured to emit one of a light beam and an electron beam.

Claim 12 (Original): The pattern inspecting apparatus of claim 9, wherein the detecting unit including pixels that detect images from the samples; one of reflection light, transmission light and a secondary electron.

Claim 13 (Currently Amended): The pattern inspecting apparatus of claim 9, further comprising:

a storing unit ~~configured~~configured to store a positional relationship of pixels of the detecting unit and an image from the samples.

Claim 14 (Currently Amended): The pattern inspecting apparatus of claim 9, further comprising:

a reference data generating unit ~~configured~~configured to generate reference pattern data corresponding to the measurement pattern data from design data used when a pattern is formed on the sample; and

a die-to-data determination unit ~~configured~~configured to compare an image obtained from the first and second inspection regions and the reference pattern data with each other to determine presence or absence of a defect of the pattern formed on the sample.

Claim 15 (Original): The pattern inspecting apparatus of claim 9, wherein the signal output unit outputs the relative signal on a predetermined timing while the detecting unit detects one of the reflection light, the transmission light and the secondary electron from the first and second inspection regions.

Claim 16 (Original): The pattern inspecting apparatus of claim 13, wherein the signal output unit output the relative signals every given time.

Claim 17 (Original): The pattern inspecting apparatus of claim 13, wherein the signal output unit outputs the relative signal whenever the sample moves by a predetermined distance relatively with respect to the detecting unit.